

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**UNITED STATES OF AMERICA,**

**v.**

**Case No. 06-C-1328  
(00-CR-225)**

**TYRONE O. YOUNG,**

**Movant.**

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**DECISION AND ORDER**

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Tyrone Young pled guilty to a conspiracy to possess with intent to distribute 5 kilograms or more of cocaine and 50 grams or more of a cocaine base. Young was sentenced to 310 months' imprisonment. The date of his judgment of conviction was September 26, 2003. He appealed the judgment of conviction, and on September 22, 2005, the Seventh Circuit Court of Appeals affirmed the judgment. More than a year later, on December 29, 2006, Young filed a motion to vacate, set aside, or correct his sentence, pursuant to 28 U.S.C. § 2255.<sup>1</sup>

In support of his § 2255 motion, he articulates two grounds for relief: (1) that his Fifth Amendment right to self-incrimination was violated, and (2) that his counsel was

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<sup>1</sup> Young does not indicate whether he sought a writ of certiorari with the United States Supreme Court. Thus, it is not clear, on the face of the petition, whether his § 2255 motion is timely filed.

constitutionally ineffective, which undermined the validity of his guilty plea. Both allegations, on their face, are colorable, constitutional claims. Accordingly, the Court directs the government to file an answer, or any other motion or response, no later than February 12, 2007.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY  
ORDERED THAT:**

The Government shall file an answer, motion, or other response no later than **February 12, 2007.**

Dated at Milwaukee, Wisconsin this 8th day of January, 2007.

**BY THE COURT**

s/ Rudolph T. Randa

**Hon. Rudolph T. Randa  
Chief Judge**